

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1832(a)(3) – Theft of Trade Secrets

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

Maximum fine: 18 USC 1832(b) -- treble the value of the stolen trade secret
 Special Assessment: \$400

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ United Microelectronics Corporation, Inc.

DISTRICT COURT NUMBER
 CR 18-0465 MMC

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW
DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form David L. Anderson

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.
Attorney (if assigned)

Laura Vartain Horn**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.
 1) ☒ If not detained give date any prior summons was served on above charges ▶

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

☐ Federal ☐ State

6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF
ARREST** ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY** ▶

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
Chief, Criminal Division

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4 LAURA VARTAIN HORN (CABN 258485)
Assistant United States Attorney

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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 UNITED STATES OF AMERICA,)	Case No. CR 18-0465 MMC
18 Plaintiff,)	
19 v.)	<u>VIOLATION:</u>
20 UNITED MICROELECTRONICS)	18 U.S.C. § 1832(a)(3) – Theft of Trade Secrets
21 CORPORATION, INC.)	
22 Defendant.)	VENUE: SAN FRANCISCO

23
24 S U P E R S E D I N G I N F O R M A T I O N

25 The United States Attorney charges:

26 COUNT ONE: (18 U.S.C. § 1832(a)(3) – Theft of Trade Secrets)

27 1. From in or about 2015 to in or about 2018, in the Northern District of California and
28 elsewhere, the defendant,

1 UNITED MICROELECTRONICS CORPORATION, INC.,

2 (1) did knowingly and with the intent to convert a trade secret, specifically Trade Secret 5 – recorded in
3 an Excel spreadsheet with the digital filename “[DR25nmS] Design rules Periphery_EES_2012000023-
4 013) Rev.13” – which is a trade secret used in and intended for use in interstate and foreign commerce,
5 to the economic benefit of someone other than the owner, Micron Technology, Inc. (“Micron”), and
6 knowing that the offense would injure Micron;
7 (2) knowingly received and possessed Trade Secret 5; and
8 (3) knowing Trade Secret 5 to have been stolen or appropriated, obtained and converted without
9 authorization.

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11 All in violation of Title 18, United States Code, Section 1832(a)(3).

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13 DATED: October 26, 2020

Respectfully submitted,

14 DAVID L. ANDERSON
15 United States Attorney

16 *Laura Vartain Horn*
17 LAURA VARTAIN HORN
18 Assistant United States Attorney
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